

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA LAKES ELECTRIC COOPERATIVE AND MIDAMERICAN ENERGY COMPANY	DOCKET NO. SPU-04-35
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued December 22, 2004)

On December 13, 2004, Iowa Lakes Electric Cooperative (Iowa Lakes) and MidAmerican Energy Company (MidAmerican) filed a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2) (2003). A service area agreement between Iowa Lakes and MidAmerican is attached to the petition. Counsel for the Board contacted counsel for the Consumer Advocate Division of the Department of Justice (Consumer Advocate). Consumer Advocate has no objection to the petition and no objections to the petition were filed.

Iowa Lakes and MidAmerican request the Board modify the service territory boundary between the two utilities in Palo Alto County, Iowa. The following service territory is to be transferred from MidAmerican to Iowa Lakes:

The West Half of the West Half (West 660 feet) of the Northwest Quarter of Section 13, Emmetsburg Township, Township 96 North, Range 33 West of the 5th P.M., Palo Alto County, Iowa.

In support of the petition, Iowa Lakes and MidAmerican state the transfer will enable Iowa Lakes to serve one prospective customer in the subject area with its existing facilities. If MidAmerican served the customer, MidAmerican would have to upgrade its facilities by building a new distribution line and duplicate Iowa Lakes' current service facilities. The customer requested that he be allowed to take service from Iowa Lakes.

Iowa Code § 476.25 (2003) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Iowa Lakes and MidAmerican joint petition for modification of service area boundaries. Iowa Lakes and MidAmerican have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by Iowa Lakes Electric Cooperative and MidAmerican Energy Company on December 13, 2004, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 22nd day of December, 2004.